

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

Alvin B. Galuten, MD, PSC,)	
)	
Plaintiff)	
)	
v.)	Civil Action No. 10-cv-155-SM
)	
Medicus Radiology Staffing, LLC,)	
)	
Defendant)	
)	

OBJECTION TO MOTION TO COMPEL DISCOVERY RESPONSES

Now comes the Plaintiff Alvin B. Galuten, MD, PSC, and respectfully requests that the Court deny the defendant's Motion to Compel Discovery. Reasons follow.

1. The filing of the motion was unnecessary as both counsel discussed the need and the desire to extend filing deadlines, extend discovery deadlines, and continue the trial. Despite those good faith discussions, Medicus as the party defendant would not authorize its counsel to extend any deadlines.

2. The plaintiff provided full and complete answers to the interrogatories via electronic delivery on March 10, 2011. The only documents not yet provided are the plaintiff's tax returns for the requested year, which are being reviewed for any necessary redactions that must be made. The plaintiff levied no objection to producing the documentation.

3. No further memorandum is necessary.

WHEREFORE, the Plaintiff respectfully requests that this Court deny the motion to compel and deny the request for fees and costs because the filing of the motion was not necessary and the plaintiff has not acted in bad faith or in a dilatory manner.

Respectfully Submitted,

ALVIN B. GALUTEN, MD, PSC

By Its Attorneys,

Howard & Ruoff, PLLC

Dated: March 14, 2011

By: /s/Mark E. Howard
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Certificate of Service

I hereby certify that a copy of the foregoing was sent via ECF filing to Attorney David McGrath, Counsel for the Defendant.

/s/Mark E. Howard
Mark E. Howard